

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference BW348M	FOR FURTHER ACTION	See item 4 below
International application No. PCT/IT2004/000618	International filing date (<i>day/month/year</i>) 10 November 2004 (10.11.2004)	Priority date (<i>day/month/year</i>) 12 November 2003 (12.11.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant SCHIAVOLINI, Cosetta		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).
2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application
4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35	Date of issuance of this report 15 May 2006 (15.05.2006) Authorized officer <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Simin Baharlou</div> Telephone No. +41 22 338 71 30
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PATENT COOPERATION TREATY

REC'D 29 APR 2005

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From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)Applicant's or agent's file reference
see form PCT/ISA/220FOR FURTHER ACTION
See paragraph 2 belowInternational application No.
PCT/IT2004/000618International filing date (day/month/year)
10.11.2004Priority date (day/month/year)
12.11.2003International Patent Classification (IPC) or both national classification and IPC
G04B19/18, G04B45/00, G04D3/00, G04B39/00, B23K26/00Applicant
SCHIAVOLINI, Cosetta

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl
Fax: +31 70 340 - 3016

Authorized Officer

Lupo, A

Telephone No. +31 70 340-4283



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IT2004/000618

Box No. V Reasoned statement under Rule 43b/s.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	2-5,8
	No: Claims	1,6,7,9,10
Inventive step (IS)	Yes: Claims	4
	No: Claims	2,3,5,8
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

Reference is made to the following documents:

- D1: DE 87 01 203 U1 (MANG, GEORG; STIGLBAUER, HELMUT, 8000 MUENCHEN, DE) 23 July 1987 (1987-07-23)
- D2: FR-A-2 767 931 (LEE VINCENT KUO WEI) 5 March 1999 (1999-03-05)
- D3: GB 899 341 A (BERNARD TAUBERT) 20 June 1962 (1962-06-20)
- D4: WO 99/21061 A (MONTRES ROLEX S.A; ALBERTANI, SANDRO; BRANDLI, REMY; VICARIO, ATTILIO) 29 April 1999 (1999-04-29)
- D5: EP-A-0 503 102 (BOCK & SCHUPP GMBH & CO. KG) 16 September 1992 (1992-09-16)
- D6: DE 83 27 171 U1 (RODI & WIENENBERGER AG, 7530 PFORZHEIM, DE) 19 January 1984 (1984-01-19)
- D7: CH 790 774 D (METALLPRODUKTE AG) 30 June 1976 (1976-06-30)
- D8: DE 44 07 547 A1 (D. SWAROVSKI & CO., WATTENS, AT) 21 September 1995 (1995-09-21)
- D9: CH 684 453 A (BONINCHI S.A) 30 September 1994 (1994-09-30)
- D10: DE 18 48 889 U (SUSI KORSCH) 22 March 1962 (1962-03-22)
- D11: US-A-4 234 948 (MAEKAWA ET AL) 18 November 1980 (1980-11-18)
- D12: EP-A-0 854 403 (MONTRES RADO S.A) 22 July 1998 (1998-07-22)

CLARITY

Claims 3 and 4 are drafted as product claims. They both contain method steps and should be redrafted accordingly (Art. 6 PCT).

NOVELTY

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1,6,7,9 and 10 is not new in the sense of Article 33(2) PCT.

1. The document D1 discloses (the references in parentheses applying to this document) a watch crystal (Fig. 1 and 3) having a three dimensional decoration

- (moving or fixed - for the latter see page 9, line 29) therein.
- 1.1. D1 does not explicitly mention that the crystal has a thickness of minimum 3.5 mm as recited in the first claim, however this has to be considered as an implicit feature in the light of the figures showing that the core of the watch crystal is formed of three layers (two of glass and one of an empty space wherein the decoration is obtained) and that each layer is normally more than 1.2 mm thick (see for example document D11 and D12 and corresponding citations on the international search report). Moreover the watch glass of D1 is substantially spherically shaped and its overall thickness is largely within the claimed range.
 - 1.2. It has to be noted that the large thickness of the crystal of the watch of D1 has the same advantage as stated in the description of the application, i.e. to enhance the visibility of the inner decoration.
 - 1.3. The shape of the watch crystal is so formed to be matched upon assembly with constructional detail (7) of fig. 2, for example.
 - 1.4. Therefore claims 1,7,9 and 10 are anticipated by D1.
2. D2 discloses a wall clock having a spherically shaped crystal containing a decoration (see figures), the thickness of which being over the claimed threshold due to the dimensions of a wall clock.
 3. D3 describes a watch glass in which reference indicia are formed. The hour indicia are formed between two curved layers of plastic material compressed at a raised temperature (see column 2, lines 58-60). The shape of the crystal and the state of art thicknesses at the publication date of D3 (see reasoning at 1.1. above) renders D3 novelty destroying for the subject-matter of claims 1 and 6.

INVENTIVE STEP

4. Subject-matter of claims 2,3,5 and 8 is not considered inventive by the examiner (Article 33(1) and 33(3) PCT).
- 4.1. Claim 2: the use of laser to obtain 3D decorations in a watch crystal is well known in the art (see document D4 and corresponding citations in the international search report).
- 4.2. Claim 3: the same as above applies to mould casting techniques (see document D5, claims).

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/IT2004/000618

- 4.3. Claim 5: a print of a further decoration provided in the bottom of the crystal is also well known in the art (see document D6, claim 1), as it is also acknowledged by the applicant in the description (page 1, line 14).
- 4.4. Claim 8: see figures 1 and 2 of document D7.
- 5. The combination of the features of dependent claim 4 is neither known from, nor rendered obvious by, the available prior art. The cited prior art does not disclose nor suggest such subject-matter.

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